

EO-339

**SURFACE TRANSPORTATION BOARD**  
**SECTION OF ENVIRONMENTAL ANALYSIS**

**POST ENVIRONMENTAL ASSESSMENT**

ENVIRONMENTAL RECOMMENDATIONS IN STB DOCKET NO. AB-6 (Sub-No. 445X)

**NOVEMBER 3, 2006**

**ABANDONMENT TYPE**

The time for comments on the Environmental Assessment (EA) has expired in this:

(X) Notice of Exemption ( ) Petition for Exemption ( ) Regulated Abandonment

**(X) NO NEW COMMENTS WERE RECEIVED**

**( ) NEW COMMENTS WERE RECEIVED**

SEA served an Environmental Assessment (EA) for this proceeding on October 13, 2006 for public review and comment. In the EA, SEA recommended three environmental conditions and concluded that the proposed action would not significantly impact the quality of the human environment.

**Comments on the EA**

Not applicable.

**Modifications to the EA**


Not applicable.

**Conclusions**

The EA comment period has ended. Accordingly, SEA recommends that the following conditions previously recommended in the EA should be imposed upon any decision granting abandonment authority:

1. Prior to any remaining salvaging activities, BNSF Railway Company shall determine if waters of the United States (U.S.) including wetlands are present on the line proposed for abandonment. If waters of the U.S. are present and these areas would be disturbed by proposed abandonment activities, BNSF Railway Company shall consult with the U.S. Army Corps of Engineers regarding potential permitting requirements under Section 404 of the Clean Water Act (33 U.S.C. 1344).
2. Prior to any remaining salvaging activities, BNSF Railway Company shall consult with the Montana Department of Environmental Quality to determine potential permitting requirements for the proposed abandonment.
3. BNSF Railway Company shall retain its interest in and take no steps to alter the historic integrity of all sites, buildings, and structures within the project right-of-way that are eligible for listing or listed in the National Register of Historic Places (generally, 50 years old or older) until the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f, has been completed. BNSF Railway Company shall report back to the Section of Environmental Analysis regarding any consultations with the Montana Historical Society and any other Section 106 consulting parties. BNSF Railway Company may not file its consummation notice or initiate any salvage activities related to abandonment (including removal of the tracks and ties) until the Section 106 process has been completed and the Board has removed this condition.

If the above conditions are imposed, SEA believes that the proposed action will not significantly affect the quality of the human environment.

SEA CONTACT:     Dave Navecky   
                         202-565-1593  
                         [naveckyd@stb.dot.gov](mailto:naveckyd@stb.dot.gov)

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